

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PIPEFITTERS LOCAL 357 ANNUITY FUND, on)
Behalf Of Themselves And All Others Similarly)
Situating,)

Plaintiff,)

v.)

WILMINGTON TRUST CORPORATION,)
TED T. CECALA, DONALD E. FOLEY, DAVID)
R. GIBSON, ROBERT V.A. HARRA, JR. and)
KEVYN N. RAKOWSKI,)

Defendants.)

Civil Action No. 10-00990 (LPS)

[Captions Continued On Next Page]

**KORNITZER CAPITAL MANAGEMENT, INC.'S WITHDRAWAL OF ITS
MOTION FOR APPOINTMENT AS LEAD PLAINTIFF AND
FOR APPROVAL OF SELECTION OF COUNSEL**

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Dated: February 11, 2011

Counsel for Movant

[Additional counsel listed on signature block]

TIMOTHY ROONEY, Individually And On Behalf)
Of All Others Similarly Situated,)

Plaintiff,)

v.)

WILMINGTON TRUST CORPORATION,)
TED T. CECALA, DONALD E. FOLEY, DAVID)
REED GIBSON and ROBERT V.A. HARRA, JR.,)

Defendants.)

Civil Action No. 10-00995 (LPS)

MOHAMMED ELZAGHA, Individually and On)
Behalf Of All Others Similarly Situated,)

Plaintiff,)

v.)

WILMINGTON TRUST CORPORATION,)
TED T. CECALA, ROBERT V.A. HARRA, JR.,)
DAVID R. GIBSON, KEVYN N. RAKOWSKI,)
DONALD E. FOLEY, CAROLYN S. BURGER,)
R. KEITH ELLIOTT, LOUIS J. FREEH, GAILEN)
KRUG, REX L. MEARS, STACEY J. MOBLEY,)
MICHELE M. ROLLINS, OLIVER R.)
SOCKWELL, ROBERT W. TUNNELL, JR.,)
SUSAN D. WHITING, J.P. MORGAN)
SECURITIES and KEEFE, BRUYETTE &)
WOODS, INC.,)

Defendants.)

Civil Action No. 10-01020 (LPS)

VINCENT LYNCH, On Behalf Of Himself And
All Others Similarly Situated,

Plaintiff,

v.

WILMINGTON TRUST CORPORATION,
TED T. CECALA, DONALD E. FOLEY, DAVID
R. GIBSON, KEVYN N. RAKOWSKI, and
ROBERT V.A. HARRA, JR.,

Defendants.

Civil Action No. 10-01086 (LPS)

Movant, Kornitzer Capital Management, Inc. (“KCM”), hereby respectfully withdraws its January 18, 2011 Motion for Consolidation, for Appointment as Lead Plaintiff, and for Approval of its Selection of Lead and Liaison Counsel [D.I. 8] (the “Motion”). As a result of an administrative error, the Certification submitted by KCM in support of its Motion inadvertently failed to record sales of Wilmington Trust Corporation common stock made during the applicable time period (and the resulting proceeds). As a consequence, KCM acknowledges that it does not have a loss larger than that of the Institutional Investor Group, the remaining competing movant for lead plaintiff.

Moreover, based upon the assurances of its counsel, and as evidenced by the Institutional Investor Group’s joint declarations, KCM recognizes that the Institutional Investor Group is not “lawyer-driven,” but rather is properly organized and functioning appropriately as a group. Accordingly, KCM affirmatively supports the Institutional Investor Group for appointment as lead plaintiff in this action.

Respectfully submitted,

FARNAN LLP

/s/ Brian E. Farnan

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